

## Message Text

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ORIGIN DLOS-06

INFO OCT-01 EUR-12 ISO-00 FEA-01 ACDA-07 AGR-05 AID-05

CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00 DODE-00

DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01 TRSE-00 H-02

INR-07 INT-05 IO-13 JUSE-00 L-03 NSAE-00 NSC-05

NSF-01 OES-06 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15

USIA-06 SAL-01 /127 R

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EUR/CE - MR. CASEGRANDE

S/S PSBRIDGES

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R 292146Z SEP 76

FM SECSTATE WASHDC

TO AMEMBASSY VIENNA

C O N F I D E N T I A L STATE 242295

E.O. 11652: GDS

TAGS: P/LOS, AU

SUBJECT:LOS: REPLY FROM AUSTRIAN FOREIGN MINISTER TO  
SECRETARY'S LETTER OF AUGUST 28 AND SEPTEMBER 5

1. THERE FOLLOWS TEXT OF MESSAGE TO THE SECRETARY FROM  
AUSTRIAN FOREIGN MINISTER IN RESPONSE TO THE SECRETARY'S  
LETTERS OF AUGUST 28 AND SEPTEMBER 5. THE LETTER (UNDATED)  
WAS TRANSMITTED UNDER A COVER LETTER FROM AUSTRIAN  
AMBASSADOR DATED SEPTEMBER 15.

2. BEGIN TEXT: DEAR MR. SECRETARY,

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IN REPLY TO YOUR LETTERS OF AUGUST 28 AND SEPTEMBER 5 ON

THE CONTINUING NEGOTIATIONS OF THE LAW OF THE SEA CONFERENCE, I SHOULD LIKE FIRST OF ALL TO EXPRESS APPRECIATION FOR YOUR PERSONAL EFFORTS IN TRYING TO ACHIEVE A BREAK-THROUGH ON THOSE ISSUES, ON WHICH THE CONFERENCE APPEARS TO BE STALLED AT THE MOMENT. LET ME ASSURE YOU AT THE OUTSET OF THE FULL SUPPORT OF AUSTRIA IN THESE EFFORTS.

THE AUSTRIAN DELEGATION TO THE LAW OF THE SEA CONFERENCE IS ENDEAVOURING, IN CLOSE COOPERATION WITH OTHER DELEGATIONS, AND IN PARTICULAR ALSO WITH THE DELEGATION OF THE UNITED STATES, TO REACH A CONSENSUS ON A LAW OF THE SEA

CONVENTION AT THE EARLIEST POSSIBLE TIME. AS A LANDLOCKED COUNTRY AND AS CHAIRMAN OF THE GROUP OF LANDLOCKED AND GEOGRAPHICALLY DISADVANTAGED STATES AUSTRIA NATURALLY WOULD LIKE TO SEE THE CONVENTION REFLECT THE RIGHTS OF THE LANDLOCKED COUNTRIES, THUS CORRESPONDING AS FAR AS POSSIBLE TO THE CONCEPT OF THE OCEANS AS COMMON HERITAGE OF MANKIND.

BECAUSE OF HER GEOGRAPHICAL POSITION, AUSTRIA CANNOT CONCUR WITH THE VIEWS OF THE UNITED STATES ON ALL QUESTIONS. THERE SEEMS, HOWEVER, TO EXIST ON A NUMBER OF DECISIVE QUESTIONS A LARGE MEASURE OF AGREEMENT WITH THE BASIC POSITION OF THE UNITED STATES, AS IT IS OUTLINED IN YOUR LETTER OF AUGUST 28. I AM CONFIDENT THEREFORE THAT AGREED SOLUTIONS WILL BE FOUND FOR THE REMAINING QUESTIONS.

PERMIT ME TO BRIEFLY OUTLINE THOSE AREAS WHERE THE AUSTRIAN POSITION APPEARS TO BE IN AGREEMENT WITH THE POSITION OF THE UNITED STATES:

A) THE EXPLOITATION OF THE DEEP SEABED SHOULD BE OPEN TO ALL COUNTRIES. IN VIEW OF THE DIVERSITY OF THE POLITICAL AND ECONOMIC FACTORS ON A WORLDWIDE SCALE, A SYSTEM SHOULD BE APPLIED WHICH WOULD ALLOW NATIONAL AND/OR PRIVATE EXPLOITATION AS WELL AS DIRECT EXPLOITATION BY THE "ENTERPRISE" (PARALLEL SYSTEM). WE WELCOME IN THIS CONTEXT YOUR RECENT PROPOSALS FOR A PACKAGE SOLUTION, AS ELABORATED IN YOUR LETTER OF SEPTEMBER 5 AND HOPE THAT THEY WOULD CONSTITUTE THE BASIS FOR A COMPROMISE ON THE

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EXPLOITATION OF THE DEEP SEABED. WE ALSO AGREE WITH THE IDEA OF A REVIEW-MECHANISM.

B) AUSTRIA AGREES TO THE ESTABLISHMENT OF A 200-MILE ECONOMIC ZONE AND TO GUARANTEEING TO COASTAL STATES FULL CONTROL OF RESOURCES AND OTHER SPECIFIED RIGHTS WITHIN THE ZONE, PROVIDED THAT THE LANDLOCKED COUNTRIES WILL ALSO HAVE, WITHIN THEIR REGION, CORRESPONDING RIGHTS IN THIS

ZONE. THE HIGH SEA RIGHTS SHOULD BE MAINTAINED AS FAR AS POSSIBLE FOR THE ECONOMIC ZONE. LANDLOCKED COUNTRIES SHOULD BE GIVEN RIGHTS OF EXPLOITATION ON THE CONTINENTAL SHELF BEYOND 200 MILES, WHERE A SYSTEM OF REVENUE-SHARING SHOULD BE ESTABLISHED.

ON THESE POINTS, THE AUSTRIAN DELEGATION HAS ALREADY PUT FORWARD, TOGETHER WITH OTHER DELEGATIONS, A NUMBER OF PROPOSALS WHICH ARE AT PRESENT DEBATED IN COMMITTEE II.

IN THIS CONNECTION, I WISH TO ADD THAT AUSTRIA AS ONE OF THE LANDLOCKED AND GEOGRAPHICALLY DISADVANTAGED STATES FULLY SUPPORTS THE VIEW OF THE UNITED STATES THAT THE

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STATUS OF THE ECONOMIC ZONE SHOULD NOT BE ASSIMILATED TO A STATUS OF TERRITORIAL SEAS.

C) THE RIGHT TO CONDUCT SCIENTIFIC RESEARCH WITHOUT ANY RESTRICTIONS SHOULD BE PRESERVED TO THE GREATEST POSSIBLE EXTENT.

D) AUSTRIA REGARDS A SYSTEM OF COMPULSORY DISPUTE SETTLEMENT FOR THE ENTIRE CONVENTION INCLUDING THE ECONOMIC ZONE AS INDISPENSABLE.

BEYOND THESE POINTS OF SUBSTANTIAL AGREEMENT, I SHOULD ALSO LIKE TO STATE THAT WE PARTICULARLY WELCOME THE VIEW EXPRESSED IN YOUR LETTER OF SEPTEMBER 5, ACCORDING TO WHICH THE INTEREST OF THE LANDLOCKED AND OTHER DISADVANTAGED STATES MUST BE ACCOMMODATED.

I MAY FINALLY ASSURE YOU THAT THE AUSTRIAN DELEGATION TO  
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THE LAW OF THE SEA CONFERENCE HAS BEEN INSTRUCTED ALONG THE LINES OF THIS LETTER AND THAT THEY WILL CONTINUE TO MAKE EVERY EFFORT TO ARRIVE AT COMMONLY AGREED SOLUTIONS. WE FULLY RECOGNIZE THE VALUE OF THE UNITED STATES PROPOSALS IN THIS CONTEXT AND AT THIS TIME.

SINCERELY  
(SIGNED)  
ENRICH BIELKA END TEXT.

ROBINSON

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NNN

## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LAW OF THE SEA, TEXT, DIPLOMATIC COMMUNICATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 29 SEP 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** KelleyW0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976STATE242295  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** WNEWLIN:HHB  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
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**Image Path:**  
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**Legacy Key:** link1976/newtext/t1976096/aaaaaeos.tel  
**Line Count:** 165  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN DLOS  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 4  
**Previous Channel Indicators:** n/a  
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**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** KelleyW0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 26 JUL 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <26 JUL 2004 by ullricre>; APPROVED <29 JUL 2004 by KelleyW0>  
**Review Markings:**  

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** LOS: REPLY FROM AUSTRIAN FOREIGN MINISTER TO SECRETARY'S LETTER OF AUGUST 28 AND SEPTEMBER 5  
**TAGS:** PLOS, PSDC, AU, (KISSINGER, HENRY A), (BIELKA, ENRICH)  
**To:** VIENNA  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006